

REMARKS

This application has been amended in a manner that is believed to place it in condition for allowance at the time of the next Official Action.

Claims 1-14 and 20-24 are pending in the present application. Claim 11 has been amended to address the formal matters raised in the outstanding Official Action. Claims 21-24 have been added. Support for claims 21-24 may be found in the present specification at page 4 to page 6.

In the outstanding Official Action, the claims and specification were objected to for containing several informalities. As suggested by the Examiner, the present amendment and claims have been amended to address these objections. At this time, applicants would like to thank the Examiner for the suggestions as to how to overcome these objections.

Claims 1-14 and 20 were rejected under 35 USC §103(a) as allegedly being unpatentable over AKIYAMA et al. (EP 0 514 008). In imposing the rejection, the Office Action alleges that the matrix system taught by AKIYAMA et al. provides a controlled release composition which comprises similar components as to that of the claimed invention. Additionally, the Office Action alleges that the features upon which applicants relies upon are not recited in the rejected claims.

However, applicants note that claim 1 recites that the lipophilic and amphiphilic matrices are dispersed in the hydrophilic matrix. As a result, the claimed dispersion leads to the formation of a uniform and homogenous matrix structure, as recited in the present specification.

As a result, applicants respectfully submit that the claimed invention is distinct from the stratified reservoir structure taught by AKIYAMA et al. Indeed, the term "dispersed" comprises the concept of uniformity. Moreover, the concept of "matrix" expresses a system in which different parts or particles are dispersed and embedded.

Thus, in view of the above, applicants believe that AKIYAMA et al. fails to disclose or suggest the claimed invention.

At this time, the Examiner's attention is also respectfully directed to new claims 21-24, which recite that the active ingredient is incorporated in a three-component matrix structure. Thus, in light of the stratified reservoir structure disclosed by AKIYAMA et al., applicants believe that AKIYAMA et al. particularly fail to disclose or suggest the subject matter of claims 21-24.

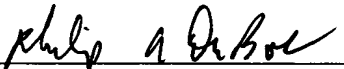
In view of the present amendment and the foregoing remarks, therefore, applicants believe that the present application is in condition for allowance at the time of the next

Official Action. Allowance and passage to issue on that basis is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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